

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA**

ELI LILLY AND COMPANY,

Plaintiff,

v.

ACCORD HEALTHCARE, INC., APOTEX  
INC., and APOTEX CORP.,

Defendants.

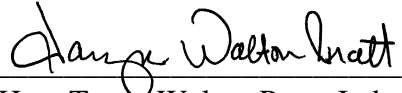
C.A. No. 1:12-cv-00086-TWP-DKL  
CONSOLIDATED

**PROPOSED ORDER AND FINAL JUDGMENT**

Upon the Joint Motion (“Joint Motion”) of Plaintiff Eli Lilly and Company (“Lilly”) and Defendant Accord Healthcare Inc. (“Accord”) for Entry of Judgment, IT IS HEREBY ORDERED that:

1. This stay of this action is LIFTED.
2. The filing of ANDA No. 203485 infringed at least claims 9, 10, 12, 14, 15, 18, 19, and 21 of Lilly’s U.S. Patent No. 7,772,209 (“the ’209 patent”), and those claims have not been proved invalid.
3. Pursuant to 35 U.S.C. § 271(e)(4)(A), the effective approval date of any product that is the subject of ANDA No. 203485 shall be not earlier than the latest date of expiration of the ’209 patent, including any period of pediatric exclusivity.
4. JUDGMENT IS ENTERED in favor of Lilly and against Accord.

Date: 4/21/2017

  
Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

Distribution: All counsel of record (via ECF)